

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

**ANTIDOTE INTERNATIONAL FILMS, INC., a  
New York Corporation**

**Plaintiff,**

**vs.**

**BLOOMSBURY PUBLISHING, PLC, a  
corporation, UNDERDOGS, INC., a corporation,  
“J.T. LEROY,” a fictitious individual and/or  
pseudonym whose identity is unknown, LAURA  
ALBERT, an individual, and JUDI FARKAS, an  
individual,**

**Defendants.**

**Civil Action No. 06 Cv 6114 (JR)**

**NOTICE OF MOTION  
TO DISMISS ALL CLAIMS  
AGAINST BLOOMSBURY  
PUBLISHING PLC**

PLEASE TAKE NOTICE THAT, upon the accompanying Declaration of Toby M.J. Butterfield and the exhibits attached thereto, and the accompanying Memorandum of Law, defendant Bloomsbury Publishing Plc, by its undersigned attorneys Cowan, DeBaets, Abrahams & Sheppard LLP, will move this Court before the Honorable Jed S. Rakoff, U.S.D.J., at Courtroom 14B, United States Courthouse, 500 Pearl Street, New York, New York on Wednesday, October 25, 2006 at 5:00 pm for an order dismissing all claims against it in this action pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim on which relief can be granted, and pursuant to Fed. R. Civ. P. 9(b) for failure to plead fraud with particularity.

The reasons for said motion are set forth more fully in the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be served by October 10, 2006 and reply papers served by October 18, 2006.

Dated: New York, New York  
September 20, 2006

Respectfully submitted,



Toby M.J. Butterfield (TB-8599)  
Mason A. Weisz (MW-5954)  
Cowan, DeBaets, Abrahams &  
Sheppard, LLP  
41 Madison Avenue- 34<sup>th</sup> Floor  
New York, New York 10010  
Telephone: (212) 974-7474  
Facsimile: (212) 974-8474

Attorneys for defendant  
Bloomsbury Publishing Plc

TO:

Gregory Lee Curtner, Esq.  
Miller, Canfield, Paddock and Stone, P.L.L.C.  
1450 Broadway, 41st Floor  
New York, NY 10018  
Attorneys for Plaintiff Antidote International Films, Inc.

Edward H. Rosenthal, Esq.  
Frankfurt Kurnit Klein & Selz, P.C.  
488 Madison Avenue  
New York, NY 10022  
Attorneys for defendant Judi Farkas

Eric Weinstein, Esq.  
c/o Feldman Weinstein & Smith  
420 Lexington Avenue  
New York, NY 10170  
Attorneys for defendants Laura Albert, J.T. Leroy and Underdogs, Inc.

## **PROOF OF SERVICE**

Deborah Mays, being duly sworn, deposes and states as follows:

1. The statements made herein are true of my own personal knowledge. If called upon to testify, I could and would testify competently thereto.
2. I am over 18 years of age, I reside in Queens, New York, and not a party to this action. I am employed by the law firm of Cowan, DeBaets, Abrahams & Sheppard LLP.
3. On September 20, 2006, I arranged to be served by Federal Express overnight delivery the following documents:
  - a. NOTICE OF MOTION TO DISMISS ALL CLAIMS AGAINST BLOOMSBURY PUBLISHING PLC
  - b. MEMORANDUM OF LAW IN SUPPORT OF BLOOMSBURY PUBLISHING PLC'S MOTION TO DISMISS
  - c. DECLARATION
  - d. BLOOMSBURY PUBLISHING PLC'S RULE 7.1 DISCLOSURE STATEMENT

addressed as follows:

Gregory Lee Curtner, Esq.  
Miller, Canfield, Paddock and Stone, P.L.L.C.  
1450 Broadway, 41st Floor  
New York, NY 10018  
Attorneys for plaintiff Antidote International Films, Inc.

Edward H. Rosenthal, Esq.  
Frankfurt Kurnit Klein & Selz, P.C.  
488 Madison Avenue  
New York, NY 10022  
Attorneys for defendant Judi Farkas

Eric Weinstein, Esq.  
c/o Feldman Weinstein & Smith  
420 Lexington Avenue  
New York, NY 10170  
Attorneys for defendants Laura Albert, J.T. Leroy and Underdogs, Inc.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at New York, New York on this 20<sup>th</sup> day of September, 2006.

  
DEBORAH MAYS